

Appl. No. : 10/713,874
Filed : November 14, 2003

REMARKS

Claims 1-44 are pending in the above-identified application. Of these claims, Claims 13-36 are currently withdrawn.

Rejection of the Claims Under 35 U.S.C. 102

Claims 1-2 and 37 stand rejected under 35 U.S.C. 102(b) as being anticipated by Hodur et al. (U.S. Patent No. 6,325,509). Applicants have amended Claims 1 and 37 as discussed below.

Hodur discloses a low-mass rigid contact lens with a spherical central optical correction zone, an aspheric intermediate zone, and a peripheral zone. See Hodur, Col. 2, at lines 19-28. The intermediate and peripheral zones are annular in shape. See Hodur, Col. 4 at lines 52-58.

However, Hodur does not disclose, teach or suggest, among other things, a contact lens with a peripheral portion having at least two areas of unequal size, "the areas of unequal size configured to induce the self-orientation of the contact lens to a desired orientation on a human eye." Applicants have amended Claim 1 to recite a contact lens comprising, among other things, "at least two areas of unequal size located on the peripheral portion, with each area having a thickness less than the first thickness, the areas of unequal size configured to induce the self-orientation of the contact lens to a desired orientation on a human eye." Accordingly, Applicants respectfully submit that Claim 1 is allowable over Hodur et al. Claim 2 depends from Claim 1 and is thus likewise allowable for at least the same reasons as Claim 1.

Similarly, Applicants have amended Claim 37 to recite a contact lens comprising, among other things, "at least two areas of unequal size located on the peripheral portion, with a first area having a thickness less than the first thickness, and a second area having a thickness greater than the first thickness, the areas of unequal size configured to induce the self-orientation of the contact lens to a desired orientation on a human eye." Accordingly, Applicants respectfully submit that Claim 37 is allowable over Hodur et al.

Rejection of the Claims Under 35 U.S.C. 103

Claims 8-9 and 40-41 stand rejected under 35 U.S.C. 103(a) as being unpatentable over Hodur et al.. Claims 3-7, 38 and 39 stand rejected under 35 U.S.C. 103(a) as being unpatentable over Hodur et al. in view of Sohnges (GB 1 417 650). Claims 10-12 and 42-44 stand rejected under 35 U.S.C. 103(a) as being unpatentable over Hodur et al. in view of Barsky (U.S. Pat. No. 6,241,355).

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Hodur et al.

As discussed above, Applicants have amended independent Claims 1 and 37 to recite a contact lens with, among other things, at least two areas of unequal size located on the peripheral portion, “the areas of unequal size configured to induce the self-orientation of the contact lens to a desired orientation on a human eye.” Accordingly, Applicants respectfully submit that Claims 1 and 37 are patentable over Hodur et al., alone or in combination with any cited reference, for the reasons discussed above.

Claims 8-9 depend from Claim 1 and are therefore likewise patentable over Hodur et al., not only because they depend from an allowable base claim, but also because each of these claims recites a unique combination of features not taught or suggested by the cited art. Similarly, Claims 38-39 depend from Claim 37 and are therefore likewise patentable over Hodur et al., not only because they depend from an allowable base claim, but also because each of these claims recites a unique combination of features not taught or suggested by the cited art.

Hodur et al. in view of Sohnges

Sohnges discloses a micro-contact lens with an optical hard lens core surrounded by a flexible annular peripheral edge part, wherein the edge part rests on the cornea of an eye. See Sohnges at Page 1, line 77 – Page 2, line 4. However, as discussed above, Hodur, alone or in combination with any of the cited references, does not teach or suggest, among other things, a contact lens having at least two areas of unequal size located on the peripheral portion of the lens, “the areas of unequal size configured to induce the self-orientation of the contact lens to a desired orientation on a human eye.”

Claims 3-7 depend from Claim 1 and are therefore likewise patentable over Hodur et al. in view of Sohnges, not only because they depend from an allowable base claim, but also because each of these claims recites a unique combination of features not taught or suggested by the cited art. Similarly, Claims 40-41 depend from Claim 37 and are therefore likewise patentable over Hodur et al. in view of Sohnges, not only because they depend from an allowable base claim, but also because each of these claims recites a unique combination of features not taught or suggested by the cited art.

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Hodur et al. in view of Barsky

Barsky discloses a method of computer-aided contact lens design and fabrication without restrictions of rotational symmetry. See Barsky, Col. 3 at lines 1-27. Identifying marks can be etched onto the contact lenses, for example, to show the correct orientation of a non-rotationally symmetric lens. See Barsky, Col. 16, at lines 45-50. However, as discussed above, Hodur, alone or in combination with any of the cited references, does not teach or suggest, among other things, a contact lens having at least two areas of unequal size located on the peripheral portion of the lens, "the areas of unequal size configured to induce the self-orientation of the contact lens to a desired orientation on a human eye."

Claims 10-12 depend from Claim 1 and are therefore likewise patentable over Hodur et al. in view of Barsky, not only because they depend from an allowable base claim, but also because each of these claims recites a unique combination of features not taught or suggested by the cited art. Similarly, Claims 42-44 depend from Claim 37 and are therefore likewise patentable over Hodur et al. in view of Barsky, not only because they depend from an allowable base claim, but also because each of these claims recites a unique combination of features not taught or suggested by the cited art.

Claim 11

Applicants have amended Claim 11 to correct a typographical error, not for reasons related to patentability.

CONCLUSION

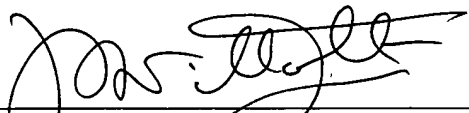
The undersigned has made a good faith effort to respond to all of the rejections in the case and to place the claims in condition for immediate allowance. Nevertheless, if any undeveloped issues remain or if any issues require clarification, the Examiner is respectfully requested to call Applicant's attorney, in order to resolve such issue promptly.

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Respectfully submitted,

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Dated: 8/2/05

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